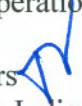





**TO:** State Workforce Innovation Council Chairperson  
Marion County Workforce Investment Board Chairperson and Director  
Regional Workforce Board Chairpersons  
Regional Operators  
Directors of Operations for Northern and Southern Indiana

**FROM:** Teresa L. Voors   
Commissioner, Indiana Department of Workforce Development

**Through:** Dale Wengler   
Deputy Commissioner, Policy and Field Operations

**DATE:** January 31, 2008

**SUBJECT:** DWD Policy 2007-22  
Policy Governing the Delivery of Profiling and Reemployment Services to  
Unemployment Insurance (UI) Clients and Operating Instructions for  
Implementing the Initiative

### **Purpose**

To provide the Indiana Department of Workforce Development (DWD) policy and instructions for operation of the Claimant Profiling and Reemployment Services Initiative (UI Profiling)

### **Content**

#### **I. Background**

The Unemployment Compensation Amendments of 1993 (Public Law 103-152) amended Title III of the Social Security Act (42 U.S.C. § 503). The amendments contain the following requirements for state agencies who administer the UI program. Pursuant to these amendments, DWD must:

- Identify which claimants will be likely to exhaust regular UI and will need job search assistance services to make a successful transition to new employment;
- Refer the claimants so identified to reemployment services, such as job search assistance services, available under any state or federal law;
- Collect follow-up information relating to the services received by such claimants and their employment outcomes and use the information for future profiling; and
- Meet "such other requirements as the Secretary of Labor determines are appropriate."

In addition, the Social Security Act requires state law to contain a provision that requires claimants to participate in reemployment services to which they have been referred by DWD as a condition of UI eligibility. Thus, Indiana law specifies that:

[a]n unemployed individual shall be eligible to receive benefits with respect to any week only if the individual . . . participates in reemployment services, such as job assistance services, if the individual has been determined to be likely to exhaust regular benefits and to need reemployment services under a profiling system established by the commissioner, unless the commissioner determines that:

- (A) the individual has completed the reemployment services; or
- (B) failure by the individual to participate in or complete the reemployment services is excused by the director [for good cause]

(IC § 22-4-14-3(b)(4)).

One of the principal aims of UI Profiling is to provide reemployment services to certain claimants through an early intervention process. That is, claimants who are unlikely to return to their previous jobs or occupations will be identified and given assistance early in the life of their claim. This approach is expected to facilitate an earlier return to employment and to maintain the solvency of each state's UI trust fund.

## **II. DWD Policy**

DWD believes that rapid re-attachment to the workforce and skills training promotes claimant self-sufficiency as well as fiscal responsibility in DWD's oversight of the State's UI trust fund. To that end, every WorkOne Center and/or WorkOne Express in the State will provide reemployment services as part of UI Profiling under the terms set forth in this policy.

It is the expectation of DWD that UI Profiling be utilized to provide those Hoosiers identified as likely to exhaust their UI benefits with additional support and services in obtaining self-sustaining employment in high wage, high demand occupations. This policy does not apply to services provided pursuant to the United States Department of Labor (USDOL) Reemployment Assistance (REA) grants.

## **III. Claimant Identification and Selection**

To identify appropriate recipients of reemployment services, DWD developed a method of identifying claimants who are at risk of exhausting their available UI benefits. All UI claimants will be passed through a statistical model using the following variables:

- Education: Educational level is closely associated with reemployment difficulty. Generally, claimants with less education are more likely to exhaust UI benefits.
- Job Tenure: This is a measure of a claimant's attachment to a specific employer. Studies show that the longer a worker's specific job attachment, the more difficult it is to find equivalent employment elsewhere.

- Maximum Benefit Amount: The Maximum Benefit Amount (MBA) is the total amount of money available in a UI claim. Lower MBAs are associated with a likelihood to exhaust benefits.
- Occupation: Workers in low demand occupations experience greater reemployment difficulty than workers in occupations with higher demand.
- Unemployment Rate: Dislocation and reemployment difficulty are closely related to economic conditions, as measured by unemployment rates. In areas with high unemployment, unemployed workers will have greater difficulty becoming reemployed than those workers in areas with low unemployment, even if all other conditions are equal. Unemployment rates in the county where the claimant resides will be used in the model.

When a "first payment" is made on the claim of a profiled individual, the statistical model will formulate a score and rank the individual on a list that will be sent to the appropriate WorkOne Center each Monday morning. This list will be the source from which the local reemployment service provider will select the individual. The minimum number of claimants selected each week will depend on the capacity and annual goals established by the regional operator in consultation with DWD's commissioner. All minimum requirements must be reviewed and approved on at least an annual basis by the regional operator and the commissioner.

#### **IV. Claimant Participation Requirements**

Individuals selected for reemployment services shall be enrolled in the Wagner-Peyser program, at a minimum, and shall be co-enrolled in the WIA, VETs, and TAA programs as applicable. Any claimant, who voluntarily chooses to enter the profiling activity, even though he or she was not selected, must be treated in the same manner as an individual who was selected according to the statistical model.

##### **Good Cause for Failure to Participate**

WorkOne staff will remind claimants that claimants are required to report to and complete their scheduled reemployment services activities unless they are explicitly excused by the WorkOne staff (e.g., for good cause or for recent or prior completion of certain reemployment services as set forth in all applicable laws, regulations, guidance, and this policy). Good cause for failure to participate in reemployment services may include:

- The claimant has a start date for a new job;
- The claimant and the former employer agree that the claimant will return to work at the previous job no sooner than twelve weeks after the claimant's separation date and the employer provides verification of the same;
- The claimant is a member in good standing with a union hiring hall;
- The claimant is enrolled in state-approved training;

- The claimant has attended a job search workshop within the past three months and the workshop included the core elements of the reemployment service workshop. The claimant must provide proof of his or her participation in the previous workshop and its course content; or
  - The claimant provides a necessitous and compelling reason for missing the workshop, including, but not limited to, one of the following circumstances:
    - Personal illness;
    - Emergency health arrangements for family members;
    - A natural occurrence (e.g., flooding, snow storm, tornado, etc.) that prevents the claimant from working a work day;
    - Lateness for attendance caused by unforeseen and unusual circumstances (e.g., car trouble, traffic congestion, loss of usual method of transportation, etc.); and
    - Death of an immediate family member;
- In such cases, the claimant must be rescheduled for the next available workshop.

If the claimant fails to respond to the initial letter, a second letter, "Failed to Participate," will be sent. This letter will reschedule the claimant for an orientation session being held the next week.

The WorkOne staff will exercise reasonable discretion in responding to claimant requests to reschedule participation to a different date or office location (within the county in which the claimant resides) when the request is made in advance of the scheduled workshop.

### **Reporting Failure to Participate**

If a claimant fails to report to the workshop (or an appointment in lieu of the workshop) or fails to complete the workshop, and the WorkOne staff has not excused the claimant for good cause, such failure will be reported as a failure to participate in reemployment. The automated process will then print the resulting list of issues and forward the list to the director of UI Benefits for appropriate adjudication of eligibility.

The claimant is considered to have completed the workshop when he or she has attended at least eighty percent of the hours scheduled. Claimants who attend but fail to complete a workshop must be rescheduled for a subsequent workshop.

### **Scheduling Alternative Services**

The WorkOne staff may exercise reasonable discretion in scheduling claimants for alternative services (in lieu of the workshop) where the alternative service provides comparable information to the claimant, better meets the particular needs of the claimant, and does not contradict any of the specific requirements set forth by this policy or other mandatory requirements established by DWD's commissioner. Alternative services may include: individual appointments for claimants with special needs; workshops for professional, technical, or managerial workers; or specifically targeted services by arrangements with the region. WorkOne staff will advise claimants that neither attendance at an early intervention workshop nor early intervention appointments meet the active search for work requirement for the week of the workshop or appointment.

#### **IV. Reemployment Services Plan**

Unless separately negotiated between an individual region and DWD, reemployment services will be provided as specified below. Regions requesting deviation from the process described shall submit a claimant profiling and reemployment services plan for DWD's approval.

##### **Selection**

Claimants must be selected in the order ranked on the list. As noted in this policy, each WorkOne Center will have a minimum required number of selections based on approval between the regional operators and DWD. Within five working days of lists being generated, selected claimants will be notified by mail, using the selection notification form developed by DWD (sample included as **Attachment A**). The notification form is a Microsoft Word document and will be distributed to WorkOne Center offices.

The notification form must be printed on WorkOne stationery and mailed in a WorkOne envelope. The notification will inform the claimant of the requirement to attend services and of the availability of such services to assist in finding new employment. It will also include date, time, and location to report for orientation. Postage for mailing of selection notices will be charged to the UI time charging codes.

##### **Reemployment Services**

Reemployment services must be scheduled to begin no later than ten working days after the date on the selection notification form. Services provided to each profiled, selected claimant must include, at a minimum:

- Orientation;
- Assessment;
- Service plan preparation;
- Provision of labor market information; and
- Referral to self-directed job search.

Based on the assessment results and employment needs of the claimant expressed during preparation of the service plan, the WorkOne may make available additional services to each profiled, selected claimant including:

- Job search workshop;
- Job search assistance;
- Employment counseling; and
- Referral to additional services (including job training).

The assessment and service plan will identify additional services to be provided to the claimant. This sequence ensures that the package of services each claimant receives is customized to meet his or her unique needs. Beyond this standard complement, additional services may be available by location. The minimum content of standard reemployment services is described below.

## **Orientation**

Selected claimants must participate in a mandatory individual or group orientation for reemployment services. At a minimum, the orientation will provide participants with information about the assessment and service plan preparation process and available reemployment services. During orientation, participants must also be informed of the participants' responsibility to participate in reemployment services and the affect of non-participation on eligibility for and receipt of UI benefits.

## **Assessment**

An assessment will be completed for each profiled, selected claimant to determine appropriate reemployment services or additional assessment. The assessment will, at a minimum, include:

- A determination, via interview, of job interests, job seeking skills, awareness of labor market conditions, and job search progress to date; and
- An evaluation of marketable skills, education, and other employment-related factors through examination of the participant's employment application and/or scores on profiling factors.

## **Service Plan**

A service plan will be prepared for each claimant based on the claimant's assessment. The claimant and staff person will discuss and agree on the reemployment services prior to preparation of the service plan. Preparation of the service plan will include a discussion between the claimant and the staff person. This discussion will include the claimant's interests and needs and the results of the assessment. Based on this discussion, the staff person will recommend additional reemployment services, if appropriate, and list the recommended services on the service plan.

As indicated earlier in this policy, Indiana law requires that claimants participate in services, unless they have completed the services or the Commissioner has excused their participation for good cause (as described in this policy and IC § 22-4-14-2(b)). Thus, claimants must participate in orientation, assessment and service plan preparation, and any additional reemployment services as directed by the WorkOne staff. If the claimant declines to participate in some or all of the recommended services, or if a claimant indicates he or she is not interested in employment and is not following a course of action to become reemployed, WorkOne staff will note this information on the service plan form, require the claimant to initial the form, and report the claimant by name and social security number to the director of UI Benefits for appropriate adjudication of eligibility.

The service plan will be signed and dated by the claimant and the staff person. One copy will be given to the claimant, one to the Adjudication Center, and the original retained by the office preparing the service plan. A standard service plan form is attached (**Attachment B**).

### **Service Plan Participation Standard**

Claimants who attend but do not complete a workshop or activity must be rescheduled for a subsequent workshop. The claimant is considered to have completed the service plan when he or she has attended at least eighty percent of the hours scheduled. The claimant is considered to have satisfactorily completed reemployment services when all objectives listed on the claimant's signed service plan have been completed.

As noted earlier in this policy, WorkOne staff may exercise reasonable discretion in scheduling claimants for alternative services (in lieu of the workshop). Any such alternative services should be recorded as such in each participant's service plan.

### **Reporting Feedback for Profiled Selected Claimants Who Are Not Registered in CS3**

Claimants should be registered in CS3, as soon as possible, after filing their claim to allow automated reporting of feedback. However, in some instances selection and reemployment services may occur prior to the claimant being registered. Upon the claimant being registered, activity occurring prior to registration should be recorded appropriately in to ensure accurate record of services. These registration requirements shall also apply to job matching or any other work registration program adopted by DWD as an alternative to CS3.

## **V. UI Continuing Eligibility**

CS3 and the UI benefit system currently pass information to identify claim status and indicate whether or not claimants are registered for work. As part of the UI Modernization project, the CS3 and CSS interface was expanded to indicate when a claimant:

- Refuses to accept a referral to full-time employment;
- Refuses to accept an employer's offer of employment;
- Refuses to accept a referral to employment-related services;
- Fails to report to work;
- Becomes employed; and/or
- Enrolls in training or training program.

To accommodate the UI Profiling, the following activities were added to the interface:

- Selection of claimant for reemployment services;
- Enrollment in reemployment services;
- Reemployment services provided; and
- Claimant participation or non-participation in reemployment services

The activity will be entered into CS3 no later than the last working day of the week in which the activity occurs. The system will feed information to the director of UI Benefits for adjudication and the activity will be stored in the profiling data base. A daily run will produce a list of potential cases resulting from profiling activity. UI Benefits staff will immediately enter any actual issues into the automated benefit system and a determination will be issued following fact finding on the issue.

An active application in CS3 is required to enter feedback information. If the application of a selected claimant is inactive it should be renewed to record selection and other feedback information.

## **VI. Exemption From Participation in Reemployment Services**

### **Prior Participation in Reemployment Services**

Claimants who have received reemployment services or comparable services prior to being profiled and selected may be exempted from further participation. If the services were provided outside the DWD system, (for example, by the employer), then the WorkOne staff must examine the content and determine that it is comparable in content and quality to that provided by the WorkOne staff. The selection notification form includes instructions for the claimant to contact the selecting office immediately if they believe they have already received these services.

### **Ineligibility for UI Benefits**

Some claimants who are profiled and selected may draw UI benefits, but subsequently be declared ineligible for benefits for reasons unrelated to profiling participation requirements. In such cases, the claimant will be exempted from participation and offered appropriate WorkOne services outside the profiling system.

### **Effective Date**

Immediately

### **Review Date**

September 1, 2009

### **Ownership**

DWD Policy and Field Operations  
Indiana Department of Workforce Development  
10 North Senate Avenue  
Indianapolis, Indiana 46204

### **Action**

Managers and supervisors will make all affected staff aware of the procedures described in this policy. WorkOne management personnel are expected to coordinate this information with the WorkOne staff implementing this program and to arrange necessary training as needed.

Questions regarding this policy should be directed to Karen Swain, Project Manager, at telephone 765-962-8591, Ext. 260 or at e-mail [KSwain@dwd.in.gov](mailto:KSwain@dwd.in.gov).

**Attachment A:** Claimant Call-in Letter

**Attachment B:** Individual Service Plan

**Attachment A: Claimant Call-In Letter**

[Date]

Dear \_\_\_\_\_:

Based on your recent claim for unemployment insurance benefits, you have been selected to participate in a reemployment services program, which is designed to assist you in locating employment.

As part of this program, the State of Indiana and the Department of Workforce Development have implemented a selection and referral system. This system reviews an individual for special assistance in securing employment through the WorkOne offices. Such assistance may include job search workshops, job search assistance, employment counseling, job training, and other services.

As you know, to receive unemployment insurance benefits you must register for work, be able and available for work, and conduct an active search for work during each week claimed. In addition, Indiana law requires that you participate in this reemployment services program in order to be eligible for unemployment insurance benefits.

As your first step in this service, we have scheduled you for an orientation session/assessment interview with \_\_\_\_\_ at \_\_\_\_\_ on \_\_\_\_\_. **Attendance at this meeting is mandatory, and failure to attend may affect your receipt of unemployment insurance benefits. If you are unable to keep this appointment, you must contact our office in advance. In addition, if you are presently enrolled in a training program or believe that you have received reemployment services within the past three months, you must contact our office immediately. Again, failure to do so may affect your eligibility for and receipt of unemployment insurance benefits.**

On the day of your appointment, please report to our reception counter and ask for \_\_\_\_\_ prior to your appointment time. This meeting should last no longer than one hour.

Please direct any questions or comments to our staff, which may be contacted by phone at \_\_\_\_\_ between 8:00 A.M. and 4:30 P.M. Monday through Friday.

Sincerely,

[WorkOne Manager]

cc: Claimant UI file

## Attachment B: Individual Service Plan



## INDIVIDUAL SERVICE PLAN

State Form 47206 (R / 5-05)

INDIANA DEPARTMENT OF WORKFORCE DEVELOPMENT

Your Social Security Number is being requested in accordance with IC 4-1-8-1. Your Social Security Number is necessary for the processing of this form.

Name		Social Security Number
Orientation Date	Assessment Date	Registration Date

ACTIVITIES	DATES SCHEDULED/COMMENTS
<b>JOB PLACEMENT ASSISTANCE</b> <input type="checkbox"/> Job Referral <input type="checkbox"/> Job Development	<input type="checkbox"/> CS3 Updated <input type="checkbox"/> Matching Explained <input type="checkbox"/> Employment Need & Possible Barriers Identified
<b>JOB SEARCH WORKSHOPS/ASSISTANCE</b> <input type="checkbox"/> Career Exploration <input type="checkbox"/> Skills Search <input type="checkbox"/> Resumes and Applications <input type="checkbox"/> Interviewing Techniques <input type="checkbox"/> Job Search Techniques <input type="checkbox"/> Other	<input type="checkbox"/> Attended Profiling / Job Search Orientation <input type="checkbox"/> WordKeys Scores Discussed ____ R ____ M ____ L <input type="checkbox"/> Self-Assessment Form Completed / Assessed / Discussed <input type="checkbox"/> Handout(s) Given
<b>LABOR MARKET INFORMATION</b> <input type="checkbox"/> Information Session	<input type="checkbox"/> Handout(s) Given
<b>EMPLOYMENT COUNSELING</b> <input type="checkbox"/> Career Counseling	
<b>SELF-DIRECTED JOB SEARCH</b> <input type="checkbox"/> Referral to specific service(s)	<input type="checkbox"/> Must Report a Minimum Of 3 Job Searches Each Week on Unemployment Insurance Claim Voucher
<b>REFERRAL TO ADDITIONAL SERVICES</b> <input type="checkbox"/> Workforce Development Center <input type="checkbox"/> Occupational/Educational Training <input type="checkbox"/> EDWAA Assessment <input type="checkbox"/> Other	<input type="checkbox"/> Must Utilize The Resources Available In WorkOne's Information Resource Area (IRA) At Least Every 2 Weeks

## WAIVER

- ☐ I have already received re-employment services adequate to meet my needs.  
☐ I have been informed of available re-employment services and do not wish to participate in recommended services.

(Client initials required for waiver)

CLIENT INITIALS: \_\_\_\_\_ DATE: \_\_\_\_\_

## SIGNATURES AND ASSURANCES

This plan outlines services that are designed to assist you in making a successful transition to new employment. By signing this document, you agree to participate in the specified activities. Failure to comply with the terms of this plan may affect your eligibility to continue to receive unemployment insurance benefits.

CLAIMANT SIGNATURE	DATE
SERVICE REPRESENTATIVE SIGNATURE	DATE